

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing rule making related to license fees and providing an opportunity for public comment

The Natural Resource Commission hereby proposes to amend Chapter 15, “General License Regulations,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 455A.5(6), 483A.1, and 483A.6B.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2018 Iowa Acts, House File 631.

Purpose and Summary

Chapter 15 provides rules for license sales, refunds, and administration; implementation of the wildlife violator compact and penalties for multiple offenses; and administration of special licenses available for hunting and fishing, and it describes and implements certification and education programs of the Department of Natural Resources (Department). Previously, all fees for Department-issued fishing, hunting, fur harvester, and related licenses were established via statute and listed in Iowa Code section 483A.1. During the 87th General Assembly, 2018 Iowa Acts, House File 631 was passed, and on May 17, 2018, it was signed into law by Governor Kim Reynolds. House File 631 removes all license fees from Iowa Code section 483A.1 and directs the Commission to adopt administrative rules establishing such fees. House File 631 allows for an increase in those fees in this current rule making and grants the Commission the authority to institute future fee increases through the rule-making process. Lastly, House File 631 allows for the creation of a new five-day, nonresident hunting license. Currently, a nonresident must purchase an annual nonresident hunting license in order to hunt in Iowa as there is no option for a license covering a shorter period of time. This rule making creates a fee for this new license.

Chapter 15 is amended to provide a list of Department-issued licenses, primarily related to fishing, hunting, and fur harvesting, and their associated fees. This list is substantively the same as that which was previously found in the Iowa Code. Minor changes are made for clarity, including listing popular combinations of licenses/fees (e.g., annual hunting license plus the habitat fee) on a single line showing the total combined fee. License fees are increased by 0 to 20 percent over current levels, depending on the individual license type, resulting in a total increase in revenue of just under 17 percent. By law, this revenue is directed to the State Fish and Game Protection Trust Fund (Trust Fund). The Trust Fund is a constitutionally protected fund that can be spent only on fish and wildlife conservation activities within the state.

Fiscal Impact

This rule making has a fiscal impact to the State of Iowa. The license fee increases in this rule making will result in an estimated annual increase in revenue to the Trust Fund of \$4.5 million over the fee levels previously found in Iowa Code section 483A.1. Approximately \$3.1 million of this increase will come from license purchases by Iowa residents; the remaining \$1.4 million of this increase will result from license purchases by nonresidents. The proposed license fee increase will allow the Department to maintain the current level of service provided and in some cases will restore services that had been previously reduced. A copy of the fiscal impact statement is available upon request from the Department.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. The following types of jobs are positively impacted by fishing, hunting, and trapping generally in the state of Iowa, none of which should see a noticeable change due to this rule making: equipment retailers (weapons, ammunition, clothing, chairs, stands, binoculars, and other supporting equipment); field guides and outfitters; taxidermists; and restaurants, hotels, and gas stations for hunters and anglers traveling around the state. Iowa's 579,000 hunters and anglers support Iowa's economy through spending more than \$779 million annually while engaged in their pursuits. This spending accounts for approximately 11,548 jobs and generates \$77 million in state and local taxes (see Iowa Hunting and Fishing Day Proclamation, signed by Governor Reynolds on September 21, 2017). A copy of the impact statement is available upon request from the Department.

Waivers

This rule is subject to the waiver provisions of 561—Chapter 10. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 21, 2018. Comments should be directed to:

Joe Larscheid
Department of Natural Resources
Wallace State Office Building
502 East Ninth Street
Des Moines, Iowa 50319-0034
Email: wildlife@dnr.iowa.gov

Public Hearing

Six public hearings at which persons may present their views orally or in writing will be held as follows:

August 21, 2018 12 noon to 2 p.m.	Wallace State Office Building Conference Room 4W Des Moines, Iowa
August 21, 2018 12 noon to 2 p.m.	Spirit Lake Hatchery Conference Room 122 252nd Avenue Spirit Lake, Iowa
August 21, 2018 12 noon to 2 p.m.	Ventura Wildlife Office Conference Room 15300 Balsam Avenue Ventura, Iowa
August 21, 2018 12 noon to 2 p.m.	Cold Springs District Office Conference Room 57744 Lewis Road Lewis, Iowa
August 21, 2018	Delaware County Conservation Board

12 noon to 2 p.m.

Conference Room
2379 Jefferson Road
Manchester, Iowa

August 21, 2018
12 noon to 2 p.m.

Lake Darling District Office
Conference Room
110 Lake Darling Road
Brighton, Iowa

Persons who wish to make oral comments at a public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 571—15.1(483A) as follows:

571—15.1(483A) Scope. The purposes of this chapter are to provide rules for license fees, sales, refunds and administration; implement the wildlife violator compact and penalties for multiple offenses; administer special licenses available for hunting and fishing; and describe and implement certification and education programs of the department of natural resources.

ITEM 2. Adopt the following new rule 571—15.12(483A):

571—15.12(483A) Licenses—fees. Except as otherwise provided by law, a person shall not fish, trap, hunt, harvest, pursue, catch, kill, take in any manner, use, have possession of, sell, or transport all or a part of any wild animal, bird, game, turtle, or fish, the protection and regulation of which is desirable for the conservation of resources of the state, without first obtaining a license for that purpose and paying a fee as follows:

15.12(1) Residents.

- a. Fishing license, annual — \$20.
- b. Fishing license, three-year — \$60.
- c. Fishing license, seven-day — \$13.50.
- d. Fishing license, one-day — \$8.50.
- e. Third-line fishing permit, annual — \$12.
- f. Fishing license, lifetime, 65 years of age or older — \$59.50.
- g. Fishing license, lifetime, disabled veteran or POW — \$5.
- h. Paddlefish fishing license, annual — \$23.50.
- i. Trout fishing fee — \$12.50.
- j. Boundary waters sport trotline license, annual — \$24.
- k. Hunting license, annual — \$20.
- l. Hunting license, annual, including the wildlife habitat fee — \$33.
- m. Hunting license, three-year, including the wildlife habitat fee — \$99.
- n. Hunting license, lifetime, 65 years of age or older — \$59.50.
- o. Combination hunting and fishing license, annual, including the wildlife habitat fee — \$53.
- p. Combination hunting and fishing license, lifetime, disabled veteran or POW — \$5.
- q. Deer hunting license — \$30.

- r.* First antlerless deer license — \$25.50.
 - s.* Additional antlerless deer license — \$12.
 - t.* Wildlife habitat fee — \$13.
 - u.* Migratory game bird fee — \$10.
 - v.* Wild turkey hunting license — \$26.50.
 - w.* Fur harvester license, annual — \$24.
 - x.* Fur harvester license, annual, including the wildlife habitat fee — \$37.
 - y.* Fur harvester license, annual, under 16 years of age — \$5.50.
 - z.* Fur harvester license, lifetime, 65 years of age or older — \$59.50.
 - aa.* Fur dealer license, annual — \$264.
 - bb.* Aquaculture unit license, annual — \$30.
 - cc.* Retail bait dealer license, annual — \$36.
 - dd.* Wholesale bait dealer license, annual — \$146.50.
 - ee.* Game breeder license, annual — \$18.
 - ff.* Taxidermy license, annual — \$18.
- 15.12(2) Nonresidents.**
- a.* Fishing license, annual — \$46.
 - b.* Fishing license, seven-day — \$35.50.
 - c.* Fishing license, three-day — \$18.50.
 - d.* Fishing license, one-day — \$10.
 - e.* Third-line fishing permit, annual — \$12.
 - f.* Paddlefish fishing license, annual — \$47.
 - g.* Trout fishing fee — \$15.50.
 - h.* Boundary waters sport trotline license, annual — \$47.50.
 - i.* Hunting license, annual — \$129.
 - j.* Hunting license, annual, including the wildlife habitat fee — \$142.
 - k.* Hunting license, annual, under 18 years of age — \$30.
 - l.* Hunting license, annual, under 18 years of age, including the wildlife habitat fee — \$43.
 - m.* Hunting license, five-day (not applicable to deer or wild turkey seasons) — \$75.
 - n.* Hunting license, five-day, including the wildlife habitat fee (not applicable to deer or wild turkey seasons) — \$88.
 - o.* Deer hunting license, antlered or any-sex deer — \$345.50.
 - p.* Deer hunting license, antlerless-deer-only, required with the purchase of an antlered or any-sex deer hunting license — \$146.50.
 - q.* Deer hunting license, antlerless-deer-only — \$263.50.
 - r.* Preference point issued under Iowa Code section 483A.7(3) “*b*” or 483A.8(3) “*e*” — \$58.50.
 - s.* Holiday deer hunting license issued under Iowa Code section 483A.8(6), antlerless-deer-only — \$88.
 - t.* Wildlife habitat fee — \$13.
 - u.* Migratory game bird fee — \$10.
 - v.* Wild turkey hunting license, annual — \$117.
 - w.* Fur harvester license, annual — \$232.
 - x.* Fur harvester license, annual, including the wildlife habitat fee — \$245.
 - y.* Fur dealer license, annual — \$586.50.
 - z.* Fur dealer license, one day, one location — \$292.50.
 - aa.* Location permit for fur dealer — \$66.
 - bb.* Aquaculture unit license, annual — \$66.
 - cc.* Retail bait dealer license, annual — \$146.50.
 - dd.* Wholesale bait dealer license, annual — \$292.50.
 - ee.* Game breeder license, annual — \$30.50.
 - ff.* Taxidermy license, annual — \$30.50.